

Serial No.: 10/808,198
Inventor(s): Keshavaraj et al.

U.S. PTO Customer No. 25280
Case No.: 5287A

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REMARKS

Claims 1-18 are currently pending in the application. All of the pending claims have been rejected as being obvious over 35 USC 103(a) as being obvious over USPN 6106038 to Dreher in view of USPAP 2001/0049243 A1 to Crouch et al. Claims 1-18 were also rejected under 35 USC 112, second paragraph, as being indefinite. Reconsideration and withdrawal of the rejection is respectfully requested for the following reasons.

Initially, it is noted that the claims all include a recitation of a "tri-stitch fold-over seam structure" or a "double-stitch fold-over seam structure." It is noted that claims with these features have been allowed in the parent case Serial No. 10/808, 198. Insofar as the Section 112 rejection, Applicant maintains that the steps of "providing" and "forming" are appropriate method steps rather than article claim steps. These claims require the active steps of providing at least one fabric blank, and forming an airbag including the at least one fabric blank and including a tri-stitch fold-over seam structure. Therefore it is respectfully requested that this rejection be withdrawn.

With regard to the Section 103 rejection, the rejection states that "Dreher discloses a silicone coated nylon airbag wherein the machine automatically folds the fabric at the seam such that each thread penetrates four layers of fabric (column 8) alluding one versed in the art to realize that seams are folded over and stitched." The rejection specifically notes that Dreher "is not as specific to the structural makeup of his airbag." Crouch is described in the Office Action as teaching a "lightweight coated fabric used in airbags wherein the substrate of high tenacity yarns such as nylon polyester, polypropylene or the like which is extrusion coated to make the fabric impermeable to be used in airbags." From this it was concluded that "a person having ordinary skill in the art at the time the invention was made would have found it obvious to have used the seams as shown by Dreher in the structural airbag of Crouch", because "One would have been motivated to use the fold over method to insure that minimal air leaks out the usually stitched edges of the airbag" and "would have been further motivated to fold the edges three times to no air leaks out, suppose for a side curtain air bag."

The Applicant respectfully disagrees with this characterization of the prior art. Dreher is directed to an external airbag system using long air bags. The Dreher specification recites that the structure "uses two 30 inch diameter cylindrical bags 5 feet long", and that the "two bags are seamed together longitudinally twice so that their width together is only 48 inches to fit the front of smaller cars." Col. 5, lines 38-41.) The patent further states in the example that "the

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longitudinal stitches were done on a conventional jean pant leg machine. This machine automatically folds the fabric such that each thread penetrates four layers of fabric." There is no specific disclosure of how the fabric is folded to achieve this characteristic, nor is there any suggestion as to how the fabric is folded. Furthermore, because there are a variety of ways that fabric could be folded such that the sewing needle would penetrate multiple layers of fabric; it is not inherent that Applicant's claimed seam would be provided in the Dreher structure. In fact, there are ways of seaming through four layers of fabric that would not achieve the claim tri-stitch and double-stitch fold-over seam structures as defined in Applicant's specification, or the enhanced characteristics that structure provides. For example, Claim 20 of Dreher describes that "airbags are seamed longitudinally along their major axis with the fabric folded to make a double layer of each fabric through which at least four threads are sewn to provide hoop strength." Reference to Applicant's Figs 2B, 2C, 3B and 3C clearly illustrate that both layers are not folded to make a double layer of each. Crouch fails to overcome those deficiencies, as it likewise fails to disclose or suggest a tri-stitch fold-over seam structure. Therefore, the references fail to disclose or suggest the claimed invention, and withdrawal of the rejection is respectfully requested.

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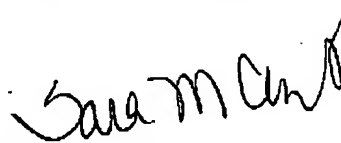
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CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance, and a notice to that effect is earnestly solicited. As discussed briefly with the Examiner today, Applicants would like an opportunity to discuss this application further with the Examiner at her convenience. Should the Examiner find that any issues remain outstanding following consideration of this Response, she is invited to telephone the undersigned in the interest of resolving such matters in an expedient manner.

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Respectfully submitted,



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